REMARKS

Applicants cancel claim 20. Claims 2, 12, 16, 18-19, 27, 29, 34, 36, and 38 have previously been canceled. Claims 1, 3-11, 13-15, 17, 21-26, 28, 30-33, 35, 37, and 39 are now pending in the application. Claims 28, 30-33, 35, 37, and 39 have been withdrawn from consideration. Applicants amend independent claims 1 and 25-26 to incorporate features that correspond to those of canceled claim 20. No new matter has been added.

Claims 1, 7-8, 13, 15, 17, 20-22, and 24-26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0203638 to Chan et al. in view of U.S. Patent No. 7,076,244 to Lazaridis et al.; claims 3-4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chan et al., Lazaridis et al., and further in view of U.S. Patent Application Publication No. 2002/0116268 to Fukuda; claims 5-6, 9-11, and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chan et al., Lazaridis et al., and further in view of U.S. Patent Application Publication No. 2003/0037243 to Gruteser et al.; and claim 23 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Chan et al., Lazaridis et al., and further in view of U.S. Patent Application Publication No. 2003/0120745 to Katagishi et al. Applicants amend independent claims 1 and 25-26 to incorporate features that correspond to those of canceled claim 20, and respectfully traverse the rejections.

Chan et al. describe providing messaging services and services such as a scheduling service and a news service by retrieving data for such services when invoked. Paragraphs [0031]-[0032] and [0037]-[0038]. And Lazaridis et al. describe a system for pushing information having a Proxy Content Server that sends packaged data to a mobile device— Fig. 6, step 213 of Lazaridis et al.—and periodically polls an Information Source 10 for updated information, or one where the Information Source 10 automatically pushes update

information to the Proxy Content Server 18. Please see, e.g., col. 11, lines 40-45 of Lazaridis

et al.

Thus, both Chan et al. and Lazaridis et al., as cited and relied upon by the Examiner,

fail to disclose a messaging server holding an update property of content, and acquiring the

content from a content server based on the update property.

In other words, even assuming, arguendo, that it would have been obvious to one

skilled in the art to combine Chan et al. and Lazaridis et al. at the time the claimed invention

was made, such a combination would still have failed to disclose or suggest,

> "[a] messaging system comprising:
> a terminal sending user identification information of a
> user using the terminal; and
> a messaging server holding content which corresponds
> to the user identification information of the user, and delivering
> the content on a receipt of the user identification information
> sent from the terminal, wherein
> by wirelessly communicating with a wireless tag which
> is carried by the user and which stores the user identification
> information of the user, the terminal reads the user
> identification information from the wireless tag and sends the
> read user identification information to the messaging server,
> the terminal stores in advance terminal identification
> information and a terminal address of the terminal and sends
> the stored terminal identification information and the terminal
> address to the messaging server together with the user
> identification information, and
> the messaging server registers the terminal
> identification information and the terminal address related with
> the user identification information and sends the content to the
> terminal based on the terminal address,
> the messaging server acquires the content from a
> content server that holds contents, and
> the messaging server acquires the content from the
> content server at a predetermined period, and, if generated time
> or updated time of newly acquired content is different from
> generated time or updated time of the last acquired content or if
> details of newly acquired content is different from details of the
> last acquired content, delivers the newly acquired content to the
> terminal, and
> the messaging server ***holds update property of the***
> ***content*** and acquires the content from the content server based

on the update property," as recited in claim 1. (Emphasis added)

Accordingly, Applicants respectfully submit that claim 1, together with claims 7-8, 13, 15, 17, 21-22, and 24 dependent therefrom, is patentable over Chan et al. and Lazaridis et al., separately and in combination, for at least the foregoing reasons. Claims 25-26 incorporate features that correspond to those of claim 1 cited above, and are, therefore, patentable over the cited references for at least the same reasons.

The Examiner relied upon Fukuda, Gruteser et al., and Katagishi et al. as combining references to specifically address the additional features recited in dependent claims 3-6, 9-11, 14, and 23, respectively. As such, the additions of these references would still have failed to cure the above-described deficiencies of Chan et al. and Lazaridis et al., even assuming, arguendo, that such additions would have been obvious to one skilled in the art at the time the claimed invention was made. Accordingly, Applicants respectfully submit that claims 3-6, 9-11, 14, and 23 are patentable over the cited references for at least the foregoing reasons.

In view of the remarks set forth above, this application is in condition for allowance which action is respectfully requested. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged to Deposit Account No. 50-1290.

Respectfully submitted,

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